IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISDICTION

Writ Petition No. 4978 of 2005

Mrs Suman P Shelke and anr. petitioners

vs

The State of Mah and ors.. respondents

Mr R K Mendadkar for petitioners

Mr. V.R.Sonawane AGP for respondents

Mr. S.M. Sabrad for respondent no. 3

CORAM;A.P.SHAH & D.Y.CHANDRACHUD JJ.

Dated 5.8.2005

P C:

Heard the learned counsel for the parties. Perused the record including the order of the Scrutiny Committee. The petitioners claim to belong to Hindu Kunbi caste which is recognized as Other Backward Class by the State of Maharashtra. In support of their case the petitioners have produced before the Scrutiny Committee a zerox copy of the school leaving certificate issued by the Primary Vidyamandir Zilla Parishad, Mukhed in favour of their uncle Narayan Patil showing his caste as Hindu Kunbi. However, upon inquiry made by the vigilence cell it was

found that in the original school register the caste of the petitioners' uncle has been mentioned as Hindu Maratha and not Hindu Kunbi and the zerox copy produced by the petitioners is fabricated document. The Scrutiny Committee has therefore rightly invalidated the caste certificates of the petitioners . No interference is called for under Article 226 of the Constitution. Petition is dismissed.